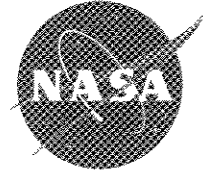


National Aeronautics and Space Administration  
**George C. Marshall Space Flight Center**  
Marshall Space Flight Center, AL 35812



November 30, 2011

Reply to Attn of:

LS01 (AMM)

**MEMORANDUM FOR RECORD**

**FROM:** James R. Frees

**SUBJECT:** Approval for NASA Space Launch Systems Program Manager to Attend the Space Transportation Association Lunch with Charlie Bolden December 5, 2011

In accordance with 5 CFR §2635.204(g)(2) and (3), I make the following determination:

The NASA Space Launch Systems (SLS) Program Manager, Todd May, has been invited to attend the Space Transportation Association (STA) Lunch with Charlie Bolden, on Monday, December 5, 2011, at 2325 Rayburn House Office Building in Washington, D.C. The topic of the meeting is the NASA Year End Wrap Up. It begins with coffee and networking at 11:30 a.m., followed by lunch at 12:00 noon, and Administrator Bolden's speech, and a Question and Answer session to follow.

This lunch is sponsored by the Space Transportation Association, the majority of whose members are present and past NASA contractors.<sup>1</sup> Mr. May has program responsibilities for the Space Launch Systems program at NASA's Marshall Space Flight Center. He presently, or may in the near future, have responsibilities that could significantly influence current or future contracts for a majority of the STA corporate members in their pursuit to provide contractual services to NASA.

This lunch is by invitation only, and those invited include House, Senate, and Executive Branch employees. Approximately 300 people have been invited to attend. The fair market value of the lunch is \$25. This event will be a widely-attended gathering of STA member representatives, representatives of the aerospace industry, Congressional staff, and Executive Branch employees.

I find that the event meets the requirements of a "widely attended gathering" as defined in 5 CFR §2635.204(g)(2).

I have determined that free attendance of the SLS Program Manager at this event is in the interest of the Agency because it will further Agency programs and operations. The NASA Administrator is speaking at the event, and his attendance is being covered by a separate WAG determination at NASA Headquarters. The SLS Program Manager's attendance at this event will

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<sup>1</sup> Space Transportation Association current members according to STA's website include: Aerojet, ATK, Ball Aerospace, Dynetics, Honeywell, ITT Defense, Lockheed Martin, Orbital, Paragon Space Development Corp, Pratt & Whitney Rocketdyne, United Launch Alliance, United Space Alliance, and Wyle.

enable discussions regarding NASA's current and future aerospace programs with a wide variety of interested parties in NASA and the Executive Branch, Congress and Congressional staffers, the Washington, D.C. community, and the space industry. His attendance at this event will help to raise NASA MSFC's profile in the aerospace community and will support NASA's statutory mandate to disseminate information concerning its activities.

Given the purpose of the event, NASA's interest in it, the broad attendance anticipated, and the reasonable market value of the event, I have determined that the value to the agency in having the SLS Program Manager attend this event outweighs any concern that free attendance may or may appear to improperly influence him in the performance of his duties, as defined by 5 CFR §2635.204(g)(3)(i).

Accordingly, the SLS Program Manager may accept free attendance to the event.

NASA employees whose duties do not substantially affect a majority of the corporate sponsors, including NASA employees in non-career positions who are required to sign the Ethics Pledge under the Executive Order 13490 are covered under a separate WAG determination being issued by NASA Headquarters.

NASA employees whose duties may substantially affect a majority of STA's members, such as by way of procurement duties, should seek an individual determination pursuant to 5 CFR 2635.204(g)(3)(i) regarding participation in this event from their Office of Chief Counsel.

The Space Transportation Association is not a lobbying organization and is not registered as such under the Lobbying Disclosure Act.

Questions about this determination may be addressed to Annette Metcalf Coffel at (256) 544-0025.

  
James R. Frees  
Acting Chief Counsel